



AMERICAN BATTLE MONUMENTS COMMISSION

Date: 6/4/2019

Emma Best
Muckrock.com

FOIA Tracking #: 2019-09

Dear Ms. Best:

This letter concerns your Freedom of Information Act (FOIA) request dated 5/21/2019, and received in this Office on 5/21/2019, for records pertaining to the creation of the FOIA office. This response is made on behalf of the American Battle Monuments Commission.

Specifically, you requested:

“Documents generated as part of the creation of the FOIA office (defined as whatever department, office, or coordinator is responsible for overseeing and/or processing FOIA requests), whether this was at the time of the agency's creation or the passage of the Freedom of Information Act, to include:

1. The instruction to do so from the Agency, as well as any guidance from the senior leadership
2. Documents discussing proposals and procedures
3. Any legal guidance or analysis produced or acquired by the Agency in response to or as part of the creation of the FOIA office
4. Internal documents from the press office, legislative liaison's office (or equivalent), general counsel's office (or equivalent), director's office (or equivalent) or the newly created FOIA office, reacting to or characterizing the office and its creation
 - * A copy of the agency's first perfected (successful) FOIA request
 - * Copies of other FOIA requests filed before the FOIA request described above
 - * Processing notes, search slips and response documents regarding the FOIA requests described above
 - * The first set of guidelines, instructions and/or forms created to control the agency's processing of FOIA requests
 - * A copy of the agency's first successful FOIA appeal
 - * Copies of other FOIA appeals received by the agency before the appeal described above
 - * Processing notes, search slips and response documents regarding the FOIA appeals described above

* The first set of guidelines, instructions and/or forms created to control the agency's processing of FOIA appeals”

Please be advised that a search has been conducted within the agency of paper and digital records.

- There are no records responsive to your request. The ABMC is subject to the Federal Records Act and has complied with the General Records Schedules with respect to documents related to the FOIA program. The General Records Schedules outline the disposition of records including those related to FOIA (GRS 4.2 addresses FOIA documents specifically). Once disposed, the ABMC does not maintain copies of disposed FOIA records; however, copies of any such records would have been transferred to the U.S. National Archives and Records Administration (NARA), which is the official custodian of permanent records that have been retired by Federal agencies. It is possible that NARA has the records you seek pertaining to the establishment of FOIA Office for the ABMC.

The National Archives may be able to help you narrow your search without your having to submit a FOIA request. Should you wish to obtain further information about your query, you may contact the National Archives and Records Administration via the contact information listed below.

National Archives and Records Administration
National Personnel Records Center
9700 Page Blvd.
St. Louis, MO 63132
Telephone: 314-801-0800
<https://www.archives.gov/research>

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison, Jennifer Li, for any further assistance and to discuss any aspect of your request at:

American Battle Monuments Commission
2300 Clarendon Blvd, Suite 500
Arlington, VA 22201
Telephone: (703) 696-6781
Email: lij@abmc.gov

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National

Archives and Records Administration, 8601 Adelphi Road, College Park, Maryland, 20740; email at ogis@nara.gov; telephone at (202)741-5770; toll-free at (877) 684-6448; or via facsimile at (202) 741-5769.

If you are not satisfied with the ABMC response to this request, you may administratively appeal by writing to the FOIA Officer, American Battle Monument Commission, 2300 Clarendon Blvd, Suite 500, Arlington, Virginia 22201, or you may submit an appeal through email, via: FOIA@abmc.gov. Your appeal must be postmarked or electronically transmitted within ninety days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "FOIA Appeal: 2019-09." If you submit your appeal by email, the subject line should state "FOIA Appeal: 2019-09."

Sincerely,

Robert Cedeno
IT Specialist
FOIA Assistant